

PATENT
Docket No. 1151-4153US1
Express Mail:EV 356 648 868US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Chang Yi WANG et al
Serial No : 09/701,623
Filing Date : December 1, 2000
For : PEPTIDE COMPOSITION AS IMMUNOGEN FOR THE
TREATMENT OF ALLERGY
Group Art Unit: 1644
Examiner : Huynh, Phuong N., Ph.D.

Mail Stop: AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences
from the decision(s) dated August 27, 2003 of the Primary Examiner.

The item(s) checked below are appropriate:

1. ☐ Appeal Fee (for other than Small Entity) \$330.00
 2. ☒ Small Entity Appeal Fee under 37 CFR § 1.9 (f) \$165.00
 3. ☐ Fee enclosed
 4. ☐ Fee not required (Fee paid in prior appeal)
 5. ☒ Charge Fee to Deposit Account No. 13-4500. Order No. 1151-4153US1.
- A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

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6. [X] The Commissioner is hereby authorized to charge any additional fees which may be required by the paper, or credit any overpayment to Deposit Account No. 13-4500.
Order No. 1151-4153US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

This Notice of Appeal is being filed since an Advisory Action to the Amendment and Response filed on November 24, 2003 to the final rejection has not yet been received. This has been discussed with the Examiner that the date had not been docketed properly but has indicated that an Advisory Action will issue. Since the statutory date for the filing of the Notice of Appeal is February 27, 2004, Applicants believe that this notice must be submitted. However, since this submission is necessitated by the failure of the Patent Office to issue the mandated Advisory Action and not for any delay, mistake or error by the Applicants, Applicants request the refund of the fee for the Appeal and the extension fee of \$475 for an extension of three months.

Respectfully submitted,

Dated: February 27, 2004



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